IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 1759 of 2005

Between:

Syeda Mohmmoda Begum, w/o Syed Shahnawaz Pasha,
r/o H.No.9-4-86/149/A, Salarjung Colony, Hyderabad.

..... PETITIONER

AND

1 The Commissioner of Police, Basheerbagh, Hyderabad.
2 The Asst.Commissioner of Police, Asifnagar Division, West Zone, Asifnagar, Hyderabad.
3 The Station House Officer, Police Station, Langer House, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly in the nature of writ of mandamus directing the respondents not to harass us by sending constables or other persons to my house. It may also be pleased to pass such other and further order or orders as may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.S.S.PERVAIZ

Counsel for the Respondents: GP FOR HOME

The Court at the stage of admission made the following ORDER:

The petitioner states that the respondents are sending constables to her residence and subjecting her to harassment and she seeks appropriate directions from this Court to ensure that she is not subjected to harassment.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

On instructions, the learned Government Pleader submits that the husband of the petitioner, viz. Syed Shahnawaz Pasha is employed as a constable at City Armed reserve and he is an accused in Crime No.323 of 2004 of P.S. Langarhouse for the offences under Sections 420, 384 and 506 I.P.C. It is alleged that the application for anticipatory bail filed by him was rejected on 11.01.2005. He contends that the visit of the police officials to the house of the petitioner is only to apprehend the accused in the said crime and not with a view to harass her.

It is clear from the submissions made by the parties that the husband of the petitioner is facing charges in a crime. Naturally, the police are entitled to apprehend him. He has evaded the arrest even by now. The visit of the police officials or constables to the house of the petitioner cannot be said to be without basis. However, it has to be ensured that even while attempting to apprehend her husband, the petitioner is not subjected to any harassment.

Therefore, the writ petition is disposed of directing that it shall be open to the

respondents to apprehend the husband of the petitioner, but in that process they shall not cause any harassment to the petitioner. There shall be no order as to costs.

14.02.2005

Note:

Issue CC in three days.

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To

1 The Commissioner of Police, Basheerbagh, Hyderabad.
2 The Asst.Commissioner of Police, Asifnagar Division, West Zone, Asifnagar, Hyderabad.
3 The Station House Officer, Police Station, Langer House, Hyderabad.

4 Two CCs. to the G.P. for Home, High Court of A.P., Hyderabad

(OUT).

5 Two CD copies.